

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

JAMES D. SULLIVAN and LESLIE
ADDISON, SHARYN JONES, and BISHOP
ROBIN HOOD GREENE, individually, and
on behalf of a Class of persons similarly
situated,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE
PLASTICS CORPORATION,

Defendant.

Case No. 5:16-cv-00125-GWC

Hon. Geoffrey W. Crawford

DEFENDANT'S MOTION TO DISMISS OR STAY PROCEEDINGS

Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, Defendant Saint-Gobain Performance Plastics Corporation ("Saint-Gobain"), by and through its undersigned attorneys, respectfully moves this Court to enter an order dismissing or, in the alternative, staying this action on the grounds that (1) Saint-Gobain has commenced multiple proceedings in Vermont state courts to challenge the promulgation of an interim groundwater enforcement standard and emergency rulemakings ("PFOA Groundwater Rules") by Vermont's Department of Environmental Conservation and Agency of Natural Resources; (2) Plaintiffs' claims are premised on these PFOA Groundwater Rules; and, therefore, (3) the Court should abstain from exercising jurisdiction, pending the resolution of Saint-Gobain's state-court challenges. In support of its motion, Saint-Gobain submits the accompanying memorandum of law.

Dated: July 19, 2016

Respectfully submitted,

/s/ Tristram J. Coffin

Tristram J. Coffin

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*Attorneys for Saint-Gobain Performance
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CERTIFICATE OF SERVICE

I hereby certify that, this 19th day of July 2016, I have electronically filed a copy of Saint-Gobain's Motion to Dismiss or Stay Proceedings and supporting materials with the Clerk of Court using the CM/ECF system, which will send notification of such filings to attorneys of record.

/s/ Tristram J. Coffin
Tristram J. Coffin